

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32333 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- NARDIGANJ District- Nawada

1. Nitsh Kumar @ Bhola Kewat Son Of Kameshwar Kewat R/O Village Marsua, P.S. Makhdumpur Tehta O.P, District Jehanabad
2. Shyam Kewat S/O Kameshwar Kewat R/O Village Marsua, P.S. Makhdumpur Tehta O.P, District Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Nardiganj P.S. Case No. 139 of 2023, instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, four unknown miscreants armed with deadly weapons assaulted the informant and his cousin brother and snatched their mobile phone, cash and gold chain.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. It is further



submitted that the petitioners are not named in the F.I.R. Name of the petitioners have transpired on the basis of confessional statement of co-accused Vishal Kumar and Vijendra Kewat which has no evidentiary value. The petitioners are in custody since 06.10.2023 and have got five criminal antecedents in which the petitioners are on bail. It is lastly submitted that co-accused Vishal Kumar, Vijendra Kewat and Ajit paswan have been granted bail by the court below.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nardiganj P.S. Case No. 139 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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